

## Campbell, Rich

---

**From:** Rader, Cliff  
**Sent:** Sunday, December 08, 2013 4:12 PM  
**To:** Marshall, Tom  
**Cc:** Rader, Cliff  
**Subject:** BO monitoring offsite

**Categories:** EPA

PDF page 289, Vol 6 (BO - monitoring off site)

### Terms and Conditions – Gila Chub

In order to be exempt from the prohibitions of section 9 of the Act, Rosemont and the USFS must comply with the following terms and conditions, which implement the reasonable and prudent measures described above and outline required reporting/monitoring requirements. These terms and conditions are non-discretionary.

1.1 Rosemont and the USFS shall select a representative group of the observation wells found in Table GC-4, above (USFS 2013b) at which groundwater levels, a surrogate for take of Gila chub, shall be monitored. Once the wells have been selected, Rosemont shall re-run the Tetra Tech (2010) groundwater model to obtain groundwater drawdowns (including sensitivity analyses) at all of the well sites. The time intervals shall be each year through closure of the mine, and thereafter, every 5 years. Monitoring will continue postclosure for a duration determined to be necessary by FWS and USFS based on data gathered during implementation and input from the team described in Term and Condition 1.5, below.

1.2 At the time construction of the mine commences (and prior to pit excavation), Rosemont shall initiate monitoring of the selected groundwater wells and report the results annually to the USFS and FWS through closure of the mine. Monitoring will continue postclosure for a duration determined to be necessary by FWS and USFS based on data gathered during implementation and input from the team described in Term and Condition 1.5, below.

1.3 During the initial implementation phase (site construction and early pit construction), Rosemont shall monitor the wells daily (or via continuous data collection devices) to determine the magnitude of daily and seasonal groundwater fluctuations prior to the onset of the anticipated effects of pit dewatering. The results from initial monitoring will help determine if and to what degree observed groundwater elevations vary due to natural fluctuations (baseline conditions). The magnitude of the observed fluctuations shall accompany the model results from Term and Condition 1.1 which will then be reported to the USFS and FWS.

1.4 Rosemont and the USFS shall compare the results of the monitoring described in Term and Condition 1.2 to the groundwater model results described in Term and Condition 1.1, including the variation noted from implementation of Term and Condition 1.3, and report the finding to FWS annually.

1.5 If it is determined at any time via monitoring that the observed groundwater drawdowns exceed the upper bounds of the sensitivity analyses for the modeled groundwater drawdowns, including consideration of applicable daily and seasonal fluctuations, then it is possible that the take of Gila chub described in Table GC-3

has been exceeded. In this event, the USFS shall convene a team consisting of Forest Service staff, FWS, Rosemont Copper, USGS, the University of Arizona, and the Bureau of Land Management to seek consensus on whether the exceedance can be attributable to Rosemont's activities and thus be considered an exceedance of the take authorized by this Incidental Take Statement. If a team cannot be convened or consensus is not reached, the USFS or FWS shall make the determination of whether reinitiation of consultation is appropriate.

2. The funds identified for the Cienega Creek Watershed Fund and Sonoita Creek Ranch conservation measures may only be used for projects as described in the Conservation Measures subsection of the Description of the Proposed Action Section, above. Indirect (overhead) costs must be funded separately.

---

Cliff Rader  
Director, NEPA Compliance Division  
202-564-7159